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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/934,163	08/21/2001	Josh D. Collier	2442/110	7395

7590 04/13/2004

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EXAMINER

LEROUX, ETIENNE PIERRE

ART UNIT	PAPER NUMBER
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2171

DATE MAILED: 04/13/2004

14

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/934,163

Applicant(s)

COLLIER, JOSH D.

Examiner

Etienne P LeRoux

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 August 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-14 are rejected under 35 U.S.C. 102(b) as being anticipated by US Pat No 6,072,781 issued to Feeney et al (hereafter Feeney).

Claim 1:

Feeney discloses:

A method for reordering messages [different FIFO for each multimedia task, col 3, lines 60-66] for processing the messages received from a communication network, each message characterized by a source identifier and type, the method comprising:

- providing a message store [buckets 116 in system memory 114, Fig 1, col 5, lines 35-60], the message store including a plurality of storage slots configured to store messages received from the network [Fig 1, 102]
- providing a plurality of FIFO queues [RCV FIFOs 105, Fig 1]
- enqueueing a given message including storing the given message in a given slot identified by a given tag, when any slot is empty [message 320 Fig 8, Fig 10, col 13, line 51 through col 14, line 12]
- selecting one of the FIFO queues based on at least one source identifier and type for the given message [message 320 Fig 8, Fig 10, col 13, line 51 through col 14, line 12]

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- loading the given tag onto the selected FIFO queue [bucket number field 338, col 13, line 51 through col 14, line 12]

Claims 2 and 13:

Feeney discloses selecting a message for dequeuing after the tag corresponding to the message is at the head of one of the FIFO queues, removing the tag correspondence to the selected message from the corresponding FIFO queue, and freeing the storage slot identified by the tag corresponding to the selected message [col 37, lines 28-33]

Claims 3, 11 and 14:

Feeney discloses wherein selecting a message for dequeuing includes arbitrating for priority by applying a round robin priority algorithm [col 30, lines 29-39]

Claims 4 and 9:

Feeney discloses wherein selecting a message for dequeuing further includes determining that resources are available for processing the message [col 9, lines 4-15]

Claims 5 and 10:

Feeney discloses wherein selecting a message for dequeuing further includes arbitrating for priority [col 30, lines 29-39].

Claim 6:

Feeney discloses wherein selecting one of the FIFO queues includes ensuring that no two FIFO queues contain tags corresponding to messages with the same source identifier and type [col 15, line 58 through col 16, line 10]

Claim 7:

Feeney discloses wherein the number of FIFO queues equals the number of storage slots [col 13, line 50 through col 14, line 12].

Claim 8:

Feeney discloses a method for reordering messages for processing by a node, the messages received from a communication network, each message characterized by a source identifier and type, the method comprising:

- providing a message store, the message store including a plurality of storage slots, configured to store messages received from the network [adapter memory 101, Fig 1, col 5, lines 35-60]
- providing a plurality of FIFO queues, the queues containing tags identifying storage slots [RCV FIFOs 105, Fig 1]
- selecting a given message for dequeuing after the tag corresponding to the given message is at the head of one of the FIFO queues [col 37, lines 28-33]
- removing the tag corresponding to the given message from the FIFO queue, and freeing the storage slot identified by the tag [col 32, line 53 through col 33, line 7]

Claim 12:

Feeney discloses: a message reordering device for messages received from a communication network for processing, each message characterized by a source identifier and a type, the device comprising:

- a message store, the message store including a plurality of storage slots configured to store messages received from the network [buckets 116 in system memory 114, Fig 1, lines 36-60]
- a plurality of FIFO queues [RCV FIFOs 105, Fig 1]
- logic for enqueueing a given message including storing the given message in a storage slot identified by a given tag when any slot is empty [message 320 Fig 8, Fig 10, col 13, line 51 through col 14, line 12]
- selecting one of the plurality of FIFO queues based at least on source identifier and type for the message [col 13, line 51 through col 14, line 12]
- loading the given tag onto the selected FIFO queue [bucket number field 338, col 13, line 51 through col 14, line 12]

Response to Arguments

Applicant's arguments filed 3/1/2004, have been fully considered but they are moot based on supra new grounds of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Etienne LeRoux whose telephone number is (703) 305-0620. The examiner can normally be reached on Monday – Friday from 8:00 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic, can be reached on (703) 308-1436.

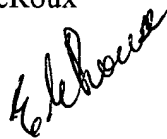
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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Etienne LeRoux

4/9/2004

A handwritten signature in black ink, appearing to read 'Etienne LeRoux', written over the date '4/9/2004'.